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NOTICES

OF THE

ORIGINAL, AND SUCCESSIVE EFFORTS,

TO IMPROVE THE DISCIPLINE

OF THE

PRISON AT PHILADELPHIA,

AND

TO REFORM THE CRIMINAL CODE OF

Pennsylvania:

WITH A FEW OBSERVATIONS ON THE PENITENTIARY SYSTEM.

✓
BY ROBERTS VAUX.

“The penal law should be founded upon principles that are permanent, uniform, and universal; and always conformable to the dictates of truth and justice, the feelings of humanity, and the indelible rights of mankind.”.....BLACKSTONE’S COM. B. IV. C. I.

PHILADELPHIA:

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Eastern District of Pennsylvania, to wit:

BE IT REMEMBERED, That on the thirteenth day of January, in the fiftieth year of the Independence of the United States of America, A. D. 1826, **KIMBER & SHARPLESS**, of the said district, have deposited in this office the title of a Book, the right whereof they claim as Proprietors, in the words following, to wit:

“Notices of the original, and successive efforts, to improve the discipline of the prison at Philadelphia, and to reform the criminal code of Pennsylvania: with a few observations on the penitentiary system. By Roberts Vaux. “The penal law should be founded upon principles that are permanent, uniform, and universal; and always conformable to the dictates of truth and justice, the feelings of humanity, and the indelible rights of mankind.”....Blackstone’s Com. B. iv. C. i.”

In conformity to the Act of the Congress of the United States intituled, “An act for the Encouragement of Learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned;”—And also to the act, entitled, “An act supplementary to an act, entitled, ‘An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies during the times therein mentioned,’ and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.”

D. CALDWELL,

Clerk of the Eastern District of Pennsylvania.

NOTICES, &c.

It will not, at this enlightened period, be denied, that one of the first duties, as well as the true policy, of every government, is to adopt measures *for the prevention of crime*; nor that the most powerful instrument for effecting this important object is *universal education*.

To make men familiarly acquainted with their religious and moral obligations, and with the influence of these great principles, when habitually observed, upon their individual respectability and happiness; and to develop their physical and intellectual resources, and direct them to the attainment of the certain rewards of honest industry and sober economy; have uniformly been found the most effectual means of interesting every member of society in its good order and welfare, and of enabling all to estimate justly the ennobling privileges of virtue and independence.

When, after the rude age in which offences were avenged at the will and by the power of the injured party, governments at length became

the arbiters of private wrongs, had plans been devised for improving the minds of men, rather than for inflicting upon them the most barbarous punishments for transgression, what an infinite waste of blood, by wanton and debasing cruelties, would have been prevented, in every country of ancient and modern Europe.

History establishes the fact, that accelerated improvement has every where attended the mitigation of penalties ; and that, in proportion as the laws have become less sanguinary and vindictive, crimes have decreased in number and atrocity.

The code of Alfred, which was a master-piece of judicial polity, set a just value on the life of man : and a tender regard for that temporal existence, which Deity only can confer, has never impaired the security of person or of property, nor diminished the power or dignity of governments that have been cautious in shedding human blood. On the contrary, the administration of justice is more uniform and certain, and social order better preserved, when punishments are mild and sure.

The great law given by Penn, upon the banks of the Delaware, has been not less remarkable for its beneficial influence upon the character and condition of society, in the Western hemisphere, than was the code of Alfred, enacted on

the shores of the Thames, upon those of Britain and of Europe.

The Pennsylvania lawgiver, regardless of most of the statutes of England which had been in force down to the reign of Charles the Second, employed his highly gifted mind in incorporating, with the frame of his government, a criminal code, which he believed to be judicious and practical; and although its provisions have since undergone some changes in form, its great features have remained, not only to distinguish and adorn the land of his affection, then contemplated by him as the "*seed of a nation*," but to extend its benefits to the remotest confines of the American confederacy.

The admirable system of the founder of Pennsylvania, from its first promulgation to the present hour, has carried conviction to the understandings of the most enlightened and distinguished men in America and in Europe, who have never ceased to bestow the highest commendation on the individual who possessed the wisdom to devise, and the firmness to avow, principles, which are calculated to enlarge the dominion of reason and humanity, and to place the institutions of society upon the broad and sure foundation of the Christian religion. These philanthropic principles, however, were too much in advance of the age in which they were

embodied, to receive the sanction of the parent government; but, notwithstanding their repeal by the Queen and Council, the same laws were re-enacted by the freemen of the Province, and remained in operation until the death of their benevolent author, in 1718.

During thirty-five years' application of this mild system, no evidence exists, that offences were of a more flagitious nature, or of more frequent occurrence, than in the neighbouring Colonies, where rigorous penalties were inflicted: on the contrary, it is believed, that its efficacy was acknowledged to contribute, in an enviable degree, to the prosperous administration of Pennsylvania.

Under the rule of Sir William Keith, and other successive Governors, the sanguinary laws of the mother country again prevailed, and gradually brought about all the evils characteristic of the criminal law, up to the period of the revolution.

Although the excellent code of Penn ceased with his existence, the exalted sources of religion and reason, whence it was derived, were happily beyond the control of human caprice and power. His example encouraged other minds, happily imbued with the same principles, to devote themselves to the production of similar results, in more modern times.

To those meritorious pioneers, most of whom have gone down to the grave, Pennsylvania is largely indebted for the reformation of her criminal jurisprudence; and their faithful and disinterested labours deserve to be recorded, for the information and instruction of present and future generations, since they exhibit the unostentatious triumph of benevolence over the errors and prejudices of centuries.

In order to unfold the nature of the difficulties to be encountered in the first attempt to change the penal code of Pennsylvania, and to show how arduous was the task of the original volunteers in this interesting cause, it will be necessary to exhibit the principal criminal offences then known to the law, and the punishments annexed to them respectively. They were,

Murder,	}	Death, by hanging.
Treason,		
Robbery,		
Burglary,		
Rape,		
Arson,		
The crime against nature,		
Malicious maiming,		
Manslaughter,		
Counterfeiting bills of credit, or the current coin.		

Various minor offences were punished by whipping, the pillory, cropping, branding with a hot iron, and public labour with chain and ball attached to the prisoner, &c.

Of this shocking catalogue of unjust and cruel penalties, few men, it may be supposed, would have the resolution to undertake the removal, especially when the actual condition of the prison, and the mode of treating the prisoners, are considered; for it must be kept in mind, that for nearly all the crimes which have been enumerated, it was proposed to commute the punishment for solitary confinement and hard labour.

The first individual, unconnected with the administration of the criminal laws, who appears to have given attention to the inhabitants of the jail, then situated at the south-west corner of High and Third streets, was a benevolent and independent citizen,* residing in that neighbourhood; who, before the revolutionary war, was in the practice of causing wholesome soup, prepared at his own dwelling, to be conveyed to the prisoners and distributed among them. This fact indicates the wretched condition of the objects of his liberality, as it cannot be presumed that such an interposition would have taken place, but from a full conviction of its absolute necessity.—

* *Richard Wistar*; he died in 1781, aged 54 years.

Whether this circumstance led to a more general notice of the state of the jail and of its inmates, cannot now be ascertained, but it is highly probable it had an influence in producing the first association, formed in any country, for investigating the condition of prisoners, and for affording them relief, as the natural and happy precursor of the important changes in punishments, which, as will hereafter be seen, was subsequently effected by an institution of similar character.

On the 7th of February, 1776, a society was formed, under the name of "*The Philadelphia Society for assisting distressed Prisoners.*" A considerable number of citizens became members of it, and paid an annual subscription of ten shillings, each. The managers of this body afforded some relief during a short career, which, from the following record, (the only one known to exist,) appears to have terminated in about nineteen months. "*The British army having entered the city of Philadelphia in September, (1777,) and possessed themselves of the public jails, no further service could be rendered, nor was any election held this month, for the appointment of new managers, so that the Philadelphia Society for assisting distressed Prisoners, was dissolved during this memorable period.*"

Signed, "RICHARD WELLS, Sec'ry."

During the remainder of the war, this good work was necessarily suspended, except that the Convention of Pennsylvania proclaimed, that an alteration should be made in the penal laws of the Commonwealth—a measure which grew out of the new form of the government.

The first amelioration of the criminal code, as subsisting before the revolution, was accomplished by an act of assembly, passed on the 15th of September, 1786, when robbery, burglary, and the crime against nature, were made punishable with servitude, at hard labour, instead of death. This dawn of legislative mercy to criminals in Pennsylvania, deserves to be as gratefully commemorated as it was then joyfully hailed.

On the 8th of May, 1787, a number of citizens assembled at the German School House, on Cherry street, and constituted themselves "*The Philadelphia Society for alleviating the miseries of Public Prisons.*" Their motives and purposes are thus explained, in the preamble and synopsis of the constitution.

"I was in prison and ye came unto me."

"—— and the King shall answer, and say unto them, verily I say unto you, inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."

Matthew xxv. 36, 40.

"When we consider that the obligations of benevolence, which are founded on the precepts

and example of the author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind, who are the subjects of these miseries. By the aids of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligation of these principles, the subscribers have associated themselves," &c.

Officers:—A President, two Vice Presidents, two Secretaries, a Treasurer, four Physicians, an electing and an acting Committee. Contribution of each member, ten shillings* per annum. The principal duties of the acting committee were to visit the public prisons, or such other places of confinement as were ordained by law, at least once

* Reduced to one dollar annually in 1792.

every week; to inquire into the circumstances of the persons confined; to report such abuses as they should discover; to examine the influence of confinement or punishment upon the morals of the persons who were the subjects of them. They had authority to draw on the treasurer for such sums of money as should be necessary to carry on the business of their appointment. The physicians, to visit the prisons when called on by the acting committee, and give their advice respecting such matters as were connected with the preservation of the health of persons confined, &c.

On the day of the adoption of this constitution, the society elected its officers and committees, who proceeded to an immediate fulfilment of their important and benevolent duties.

It is much to be regretted, that the first minutes of the acting committee, which contained, doubtless, a mass of intelligence which would now be deeply interesting, cannot be found. Recourse has therefore been had to a few of the venerable persons, who, after a lapse of almost forty years, survive to relate some of the occurrences connected with their early labours in this field of beneficence and patriotism. Their representations of the condition of the jail, and of those confined in it when their visits commenced, are truly appalling. A brief sketch of

these will serve to prove at once the immense difficulties of the undertaking, and the moral courage which must have been exerted to overcome them. The prison, as already stated, was at the corner of High and Third streets, then nearly in the centre of the population of the city. It is said to have been an injudiciously contrived building, with a subterraneous dungeon for prisoners under sentence of death.—What a spectacle must this abode of guilt and wretchedness have presented, when in one common herd were kept, by day and by night, prisoners of all ages, colours, and sexes! No separation was made of the most flagrant offender and convict, from the prisoner who might perhaps be falsely suspected of some trifling misdemeanor;—none of the old and hardened culprit, from the youthful and trembling novice in crime;—none even of the fraudulent swindler, from the unfortunate and possibly the most estimable debtor; and when intermingled with all these, in one corrupt and corrupting assemblage, were to be found the disgusting object of popular contempt besmeared with filth from the pillory—the unhappy victim of the lash streaming with blood from the whipping post—the half naked vagrant—the loathsome drunkard—the sick suffering with various bodily pains—and too often the unaneled malefactor, whose precious hours

of probation had been numbered by his earthly judge.

Some of these deplorable objects, not entirely screened from the public eye by ill constructed walls, exposed themselves daily at the windows, through which they pushed out into the street bags and baskets, suspended upon poles, to receive the alms of the passenger whose sympathy might be excited by their wails of real or affected anguish, or if disappointed, they seldom failed to vent a torrent of abuse on those who were unmoved by their recitals, or who disapproved of their importunity. To increase the horror and disgust of the scene, the ear was continually assailed by the clank of fetters, or with expressions the most obscene and profane, loudly and fiercely uttered, as by the lips of demons.

The keeper derived his appointment from the Sheriff of the city and county of Philadelphia; and had been for many years retained in office, on account of his supposed competency for a charge so disagreeable, as to excite neither desire nor competition on the part of persons better qualified to occupy the station. Indeed the circumstances, under which the incumbent had been long connected with criminals, caused him to be suspected of a more intimate knowledge of the depredations committed in the city, than

comported with that unblemished reputation which ought to belong to such an officer. Whether justly suspected or not, certain it is, that he viewed the first interference of the members of the society, as altogether improper and unnecessary, and contrived to interpose every possible obstacle to the prosecution of their plans; a deportment which went far to confirm the unfavourable opinions entertained of his character. An anecdote, related by one of the acting committee, exhibits at once the dispositions of the jailer, and a specimen of the arts to which he resorted for deterring the members of that body from the discharge of their duties. The gentleman alluded to was a clergyman,* who, believing that benefit would result to the prisoners from an occasional sermon, called on the keeper to inform him of his intention to preach "on the following Sunday." This proved most unwelcome intelligence to the keeper, who instantly declared that such a measure was not only fraught with peril to the person who might deliver the address, but would involve also the risk of the escape of all the criminals, and the consequent pillage or murder of the citizens. To this the clergyman answered, that he did not anticipate such a result, and for himself he did not

* The late William Rogers, D. D.

apprehend even the slightest injury. Leaving, however, the keeper utterly unconvinced, he waited upon the Sheriff, who, on being told what had passed, issued a written order to the jailer, to prepare for the intended religious service. At the appointed time the clergyman repaired to the prison, and was there received with a reserve bordering on incivility. The keeper reluctantly admitted him through the iron gate, to a platform at the top of the steps leading to the yard, where a loaded cannon was placed, and a man beside it with a lighted match. The motley concourse of prisoners was arranged in a solid column, extending to the greatest distance which the wall would allow, and in front of the instrument prepared for their destruction, in the event of the least commotion. This formidable apparatus failed to intimidate or obstruct the preacher, who discoursed to the unhappy multitude for almost an hour, not only unmolested, but, as he had reason to think, with advantage to his hearers, most of whom gave him their respectful attention, and all behaved with much greater decency than he expected. This sermon, it is asserted, was the first ever delivered to the whole of the prisoners in Philadelphia, and perhaps it preceded every attempt of the kind in any other city. Be that as it may, the duty in this case was performed under very

extraordinary circumstances. Not long afterwards, when Bishop White, the President of the society, was about to officiate in the same prison, the keeper, with similar designs, very significantly advised him to leave his watch on the outside of the gate-way, lest it should be purloined ; but the intimation was disregarded, and the service administered without molestation. Another proof of the violent and sturdy opposition which the members of the society must have habitually encountered, in their intercourse with the jail, from the refractory temper of a man who could even set at naught the sovereignty of the state, is found in the following extract from the minutes :—“ *Although an order was issued, three days since, by the Supreme Executive Council, that Barrack Martin (a negro under sentence of death, but who had been pardoned,) should be released from his irons, yet they had not been removed.*”

Notwithstanding the discountenance of the jailer, a subject rather of ridicule than anger, the members of the acting committee persevered in visiting the prison, alleviating the miseries of its inhabitants, and at the same time making themselves acquainted with all the iniquity of the system which it was the purpose of the society to expose and reform.

As the public attention became gradually

awakened to the arduous labours of the few founders of the society, they were encouraged in their noble aims by accessions to their number, and by donations in money. As early as the third meeting, it is recorded that John Dickinson, late President of the State, proposed transferring certain ground rents for the benefit of the institution.

At the ensuing sitting, the members were gratified by the reading of a letter from Dr. John Coakley Lettsom, of London, to Dr. Benjamin Rush, giving an account of journeys then recently performed by the celebrated John Howard along the borders of the Mediterranean, whither he went to promote the relief of prisoners. The instruction communicated in this epistle renders it worthy of preservation.

“On Howard’s return from Turkey, he refused any public honours, which put a stop to the increase of the fund under his name; out of fifteen hundred pounds subscribed, above five hundred pounds have been reclaimed. Of the appropriation of the residue we cannot yet conclude, but my ideas will appear from the Gentleman’s Magazine enclosed, in which I have grafted part of thy letter. Though Howard absolutely refused the public honour, he seemed highly gratified by the spirit of the nation, and truly sensible of the grateful sense of his labours. I was closeted with him three hours, soon after his return, and though I have introduced to him persons of fashion, title, and respect, he remains immoveably fixed against all entreaties to admit of public honour. He has not published any account of his Asiatic tour, as it must be illustrated with at least thirteen plates, and he remained here scarcely a month

before he set off for Ireland, in which kingdom he is now employed in visiting the prisons ; but his papers, he informed me, were in readiness for the press. Happily he had duplicates of his remarks, and these were kept in different trunks ; with these he travelled safely through different regions, till he arrived in Bishop's Gate street, London, and just as he got out of the stage to take a hackney coach, into which he was removing his trunks, one was stolen, and has never since been recovered : besides a duplicate of his travels, it contained twenty-five guineas and a gold watch. A friend of mine who visited Newgate the next day, was told by a convict (such intelligence and communications have they) that the papers were all burnt. Of the lazaretto at Marseilles, he had no duplicates, and luckily the drawings were in the preserved trunk. Howard told me he valued them so highly, that had they been stolen, he would have returned to Marseilles to acquire new ones. To enter this place is forbidden to strangers, and it was by a singular stratagem that he got in nine days successively, without being discovered. Having heard at Marseilles that an English protestant was confined in a prison at Lyons, into which the intrusion of a stranger was always punished with confinement to the galleys for life, the difficulty of access only stimulated the enthusiasm of Howard. He learned, as well as he could, the different turnings and windings that led to the prisoner he more particularly wished to visit. Howard is a little man, of extenuated features, who might pass for a Frenchman. He dressed himself like a Frenchman, with his hat under his arm, and passed hastily by twenty-four officers, and entered the very apartment he wished to see, without suspicion. He disclosed the secret to an English minister at Lyons, who advised his immediate departure, as he would inevitably be discovered if he remained at Lyons all night. He therefore departed hastily and got to Nice. When he arrived at Paris it was almost eleven o'clock at night ; he had concluded to depart at three in the morning, by the Brussels stage, and to the inn he sent his baggage, and hoping to get an hour or two's sleep, he went to bed. He had scarcely fallen asleep before his room door was forced open, and in stalked a formal dressed man, preceded by

a servant bearing two lighted candles, and solemnly interrogated him in French to this purpose:—Are you John Howard? I am, replied the Englishman. Did you travel with such a person? I do not know any thing of him, said Howard. The question was again repeated, and the same reply (but with some warmth) was given to it. The personage left the candles on a table and departed: immediately Howard dressed himself and stole to the Lyon's hotel; he heard of two messengers in pursuit of him, but he arrived at Brussels undiscovered.

“At Vienna he purposed to remain two days, but the Emperor Joseph, hearing of his arrival, desired to see him; but as he had found his prisons upon a bad plan, and badly conducted by persons in high trust, Howard evaded an interview at first; but Joseph sending him a message that he should choose his own hour for an interview, the Englishman consented to the Emperor's request. The moment that Howard was announced, he quitted his secretaries and retired with him to a little room, in which there was neither picture nor looking-glass. Here Joseph received a man who never bent his knee to, nor kissed the hand of, any monarch; here he heard truths that astonished him, and often did he seize hold of Howard's hand with inexpressible satisfaction and approbation. “*You have prisoners,*” said Howard, “*who have been confined in dungeons without seeing day light for twenty months, who have not yet had a trial, and should they be found innocent, your majesty has it not in your power to make compensation for the violated rights of humanity.*” To the honour of this great prince be it remembered, that alterations were made in the prisons before Howard's departure.”

The first public appeal of the institution, for pecuniary assistance, was, with equal delicacy and eloquence, made on the 16th of August, 1787, in the following terms:

“*To the Friends of Humanity.*”

“The Society for alleviating the miseries of Public Prisons, beg leave to solicit the attention of the public to the objects of their institution.

“From the weakness and imperfection of all governments, there must necessarily exist in every community certain portions of distress, which lie beyond the reach of law to prevent or relieve. To supply this deficiency in Philadelphia this society was instituted, and if a judgment be formed of its future usefulness from the success that hath attended its first efforts, there is reason to believe it will prove a blessing to our city, not only as the means of relieving distress, but likewise of preventing vice. The funds of the society at present are confined to an annual subscription from each of its members, and a ground rent of fourteen pounds, the donation of John Dickinson, Esq. These sums are by no means equal to the numerous objects and extensive wishes of the society. They have therefore taken this method of soliciting further benefactions from their fellow citizens. To a people professing Christianity, it will be sufficient only to mention that acts of charity to the miserable tenants of prisons are upon record among the first of Christian duties. From the ladies, therefore, whom heaven has blessed with affluence, and the still greater gift of sympathy—from gentlemen, who acknowledge the obligations to humanity—from the relation of our species to each other in a common and universal Father—and from the followers of the compassionate Saviour of mankind, of every rank and description, the Society thus humbly solicits an addition to their funds.

“Signed by order.

“WILLIAM WHITE, *President.*”

The law of 1786, although in many respects less sanguinary than the former enactments, contained some provisions, the execution of which led to most injurious consequences. It directed that a certain description of convicts should be employed in cleaning the streets of the city and repairing the roads in its neighbourhood; and authorised the keeper of the jail to *shave the heads* of the prisoners, and otherwise to distin-

guish them by *an infamous dress*. In this very objectionable manner they were brought before the public. The sport of the idle and the vicious, they often became incensed, and naturally took violent revenge upon the aggressors. To prevent them from retorting injuries still allowed to be inflicted, they were encumbered with iron collars and chains, to which bomb-shells were attached, to be dragged along while they performed their degrading service, under the eye of keepers armed with swords, blunderbusses, and other weapons of destruction. These measures begot in the minds of the criminals and those who witnessed them, disrespect for laws executed with so much cruelty, and did not fail to excite the early notice of the society. A committee was therefore appointed "*to inquire into the effects of the lately enacted penal law on the criminals, now at work in our streets, and also its influence on society,*" who speedily reported an essay of a memorial, which being approved, twenty-four members were deputed to procure to it the signatures of the citizens.

"To the Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met.

"The Representation and Petition of the subscribers, citizens of Pennsylvania.—

"Your petitioners have viewed with pleasure the act of a former Assembly, for the reforming of the penal laws of the state, by rendering them "*less sanguinary and more proportionate to*

crimes,” and though your petitioners conceive that the good ends thereby intended, have not hitherto been fully answered, yet they presume to suggest that the mode of punishment adopted in the “*act for amending the penal laws,*” will be more likely to answer the desired purpose, by means of some amendments ; a few of which your petitioners beg leave to lay before the house.

“The punishment of criminals by “hard labour *publicly* and disgracefully imposed,” as indicated in the preamble to the law, your petitioners wish the house would be pleased to revise, being fully convinced that punishment by more *private* or even *solitary* labour, would more successfully tend to reclaim the unhappy objects, as it might be conducted more steadily and uniformly, and the kind and portion of labour better adapted to the different abilities of the criminals; the evils of familiarizing young minds to vicious characters would be removed, and the opportunities of begging money would be prevented; for although the criminals are forbid to have money in their possession, yet no penalty is inflicted on persons furnishing them therewith.

“Your petitioners also would wish to recommend to the attention of the house the very great importance of a separation of the sexes in the public prisons—and that some more effectual provision be made for the prohibition of spirituous liquor amongst the criminals, the use of which tends to lessen the true sense of their situation, and prevents those useful reflections which might be produced by solitary labour and strict temperance.

“Your petitioners therefore respectfully request the house will be pleased to take the penal law under their consideration, and make such provision thereon as may more effectually answer the good and humane purposes thereby originally intended.”

Such was the modest, but forcible application which the society was instrumental in bringing before the representatives of the people of this Commonwealth, and to this measure Pennsylv-

nia owes all the subsequent improvements in her prison discipline and penal laws, which have attracted the approving notice of statesmen and philanthropists, throughout the civilized world.

The society had by this time acquired so respectable a standing as to insure to it a powerful influence, which was strenuously exerted on every occasion, to press its generous and judicious plans to completion.

To enlarge its knowledge of efforts in some respects similar to its own, in Europe, a correspondence was commenced with the indefatigable Howard, to whom the following communication was addressed :

“Philadelphia, January 14, 1788.

“To JOHN HOWARD.

“The Society for alleviating the miseries of Public Prisons, in the city of Philadelphia, beg leave to forward to you a copy of their constitution, and to request, at the same time, such communications from you upon the subject of their institution, as may favour their designs.

“The Society heartily concur with the friends of humanity in Europe, in expressing their obligations to you for having rendered the miserable tenants of prisons the objects of more general attention and compassion, and for having pointed out some of the means of not only al-

leviating their miseries, but of preventing those crimes and misfortunes which are the causes of them.

“With sincere wishes that your useful life may be prolonged, and that you may enjoy the pleasure of seeing the success of your labours in the cause of humanity, in every part of the globe, we are, with great respect and esteem, your sincere friends and well wishers.

“Signed by order of the Society.

“WILLIAM WHITE, *President*.”*

The meeting at which this letter was adopted, in order to disseminate information calculated to enlighten the community respecting its favourite purpose, instituted a committee to print, and gratuitously distribute, a pamphlet which had recently appeared, entitled “*Thoughts on the construction and polity of Prisons*,” copies of which were ordered to be presented to each member of the council and assembly of the state. On

* Of the usefulness of this society, the benevolent Howard thus expresses himself in one of his published works:—“Should the plan take place during my life, of establishing a *permanent charity* under some such title as that at *Philadelphia*, viz: “*A Society for alleviating the miseries of Public Prisons*,” and annuities be engrafted thereupon, for the above mentioned purpose, I would most readily stand at the bottom of a page for five hundred pounds; or if such society shall be instituted within three years after my death, this sum shall be paid out of my estate.”

the same occasion a resolution of the Supreme Executive Council was submitted, asking the society to confer with a deputation, which had been chosen by the former body, on the subject of the condition of the jail of the city and county of Philadelphia; which request was promptly met, and a large committee accordingly appointed. At the joint meetings of the delegates, several interesting and important discussions took place, and a general view of the subjects under notice being prepared, the succeeding paper was furnished to the council.

“In consequence of a minute of the Supreme Executive Council, 20th November, 1788, laid before a special meeting of the Society for alleviating the miseries of Public Prisons, a committee was appointed to take the said minute into consideration, and to give such information to Council as the nature of the minute requires, which committee, having several times met, agree to make the following representation:

“That in the article of clothing few complaints arise respecting the condemned criminals, but amongst the greater number confined in prison previous to trial, there frequently happen cases of great want, many of the prisoners being destitute of shirts and stockings and warm covering, partly owing to the length of time before trial, and partly to the easy access, by various means, to spirituous liquors, for which their clothes are disposed of. Clothing distributed by the society to the apparently most destitute, has, in many instances, been quickly exchanged for rum. No provision being made by law for relieving these distressed objects, or for preventing the abuses of charitable donations, it is at present an evil without a remedy, though it is conceived that a kind of prison dress might be adopted by law, and as easily preserved from sale as those of the convicts.

“In the article of diet an allowance is made by law to the

working criminals, and no complaints have come to the knowledge of the society on that head. To those who are committed for trial, the half of a four-penny loaf only is daily allowed, but no provision is made for persons who are committed as witnesses, amongst whom cases of great distress have appeared to the society. A stranger, accidentally present at the commission of a criminal action, but without friends to enter security for his appearance as witness, is committed to jail, for the benefit of the community, and suffers more than the actual criminal, and what adds greatly to this grievance, he is afterwards detained for his fees;—and whilst on this subject, the committee would wish to suggest the very great hardship of a prisoner's being detained for his fees after being legally acquitted of the crime for which he had been committed.

“In cases where women are imprisoned, having a child, or children, at the breast, they have only the allowance of a single person, except what arises from the casual supplies of charity, to which the society have contributed, by a distribution to the most necessitous of both sexes, of upwards of one hundred gallons of soup weekly during the last winter and spring.

“With respect to lodging, it appears that no provision of any kind is made by law, the prisoners lying promiscuously on the floor, unless supplied by their friends. In some jails in England, mentioned by the humane Howard, they are accommodated with strong cribs, and supplied, at stated times, with clean straw. On the first institution of the society, in their visits to the jail, they found that the men and women had general intercourse with each other, and it was afterwards discovered that they were locked up together in their rooms at night; but through the remonstrances of the committee on the impropriety of the practice, the women were, at length, removed into a different part of the prison—the apparent consequence of which was, that from the number of about thirty or forty, at first, in confinement, they have been reduced to four or five; for it was said to be a common practice for the women to procure themselves to be arrested for fictitious debts, in order to gain admission among the men—a constant and steady adherence to this mode of separation, the committee are of opinion, will be

of great utility. The present mode of burning fuel in the rooms, in open chimneys, with the very scanty allowance, subjects the unhappy prisoners to great misery, in the severity of winter;—if stoves could be introduced, this might be, in some measure, abated.

“The minute of council calls for information of the quantity of spirits consumed in the jail—but it is not in the power of the committee to give a satisfactory answer on this head. The visiting committee were once informed that twenty gallons had been introduced in one day, at the time the prison keeper stopped selling, on account of the prosecution and fine imposed. Since that time, the visiting committee have never had reason to believe that the prisoners have met with any difficulty in purchasing spirits at the bar; and the debtors have frequently complained that they would not have liberty to buy liquors at any other place, but were obliged to pay in the jail half a dollar for a quart, and eight pence for a gill. To obtain money to purchase spirits, great irregularities, and even outrages, are committed by the prisoners, by not only selling their own clothes, but forcibly stripping others on their first admission in jail, which, though a custom of long standing, by the name of *gar-nish*, is oftentimes productive of great subsequent sufferings.

“In reply to the general query respecting the mode of conducting the business of the jail, the committee beg leave to remark, that there are three great evils which call for attention, viz: the mixture of the sexes—the use of spirituous liquors—and the indiscriminate confinement of debtors and persons committed for criminal offences.

“The first during the temporary separation, had an evident beneficial effect, as already remarked: how far the practice is steadily continued, is not in the power of the committee to ascertain, as the regular attendance of the visiting committee has been, for some time, withheld, on account of some discouragement and obstacles they met with; but, from the experience they have had, they are fully convinced that it is both practicable and beneficial.

“The sale of spirituous liquors has ever appeared to the visiting committee as greatly contributing to the enormities pre-

vailing amongst the prisoners. If it was practicable to put a total stop to the resort of visitors to the criminals, many of the evils complained of might be remedied; for, there is too much reason to believe, that an improper correspondence and intercourse is held between dishonest people out of the jail and the confined criminals, and that schemes of robbery and concealment are there concerted. The laws hitherto in force against selling spirituous liquors in jail, are either eluded, or the penalty too small to prevent the practice.

“During the many visits paid to the jail by the committee of the society, they could not pass by unnoticed the frequency of many of the criminals intermixing with the debtors, and having the free use of that part of the jail originally appropriated solely for the debtors—of which many of the debtors complained, and at times conceived their lives were endangered. Some of them have informed the committee that they would have given useful information respecting the introduction of liquors, &c. but were deterred from a fear of the criminals, and were not without apprehension that they might give offence to the prison keeper, and induce him to treat them with severity. Particular cases have come to the knowledge of the committee, where debtors, by mixing with the criminals, have formed connexions which ultimately led to their being convicts themselves. There is too much reason to believe that numerous connexions have been formed in this way, to the total ruin of many unfortunate prisoners, who have been compelled to associate with men of infamous morals. But even where this unhappy consequence hath not ensued, it proves a situation of pain and distress to the feeling mind, and often subjects the innocent prisoner to personal abuse and loss of property. Under this head it may be proper to remark, that children, both in the jail and work-house, are frequently suffered to remain with their parents, whereby they are initiated, in early life, to scenes of debauchery, dishonesty, and wickedness of every kind.

“The female convicts are at present kept in the work-house, where, for want of proper apartments, they are allowed to associate with girls and young women, confined therein by their masters and mistresses, for sale, or temporary punishment, by which dangerous intercourse many unhappy creatures, who are per-

haps only confined by the caprice of their owners, are gradually seduced from their original innocence.

“A large portion of the jail is at present unoccupied, or in the use of the prison keeper and his family, so that the necessary separations might be easily provided for.

“Respecting the employment of the convicts, the committee are of opinion, that on inquiry it will appear that a large portion of their time is unemployed, and the committee have been informed by the prison keeper, that it was deemed a greater punishment to be detained in the prison than to work in the streets, and that in some cases he prevented their going out to work, alleging that they were too desperate to be in the street, which seems strongly to indicate the necessity of providing solitary labour in the prison. On the whole, as a matter of the utmost moment to the well being, safety, and peace of society, as well as of the greatest importance to the criminals, the committee think it their duty to declare, that from a long and steady attention to the real practical state, as well as the theory of prisons, they are unanimously of opinion, that solitary confinement to hard labour, and a total abstinence from spirituous liquors, will prove the most effectual means of reforming these unhappy creatures, and that many evils might be prevented by keeping the debtors from the necessity of associating with those who are committed for trial, as well as by a constant separation of the sexes.

(Signed,)

“WILLIAM WHITE,
R. WELLS,
B. WYNKOOP,
THOMAS WISTAR,
S. P. GRIFFITTS,
JOHN KAIGHN,
WILLIAM ROGERS,
C. MARSHALL,

“JOHN CONNELLY,
JAMES COOPER,
CALEB LOWNES,
BENJAMIN THAW,
T. HARRISON,
WM. LIPPINCOTT,
GEO. DUFFIELD.”

“*Philadelphia, December 15, 1788.*”

Endorsed,

“*Delivered the 16th, at the Council Chamber. Present, Samuel Miles and R. Willing.*”

This representation proved highly beneficial, and in the following year, 1789, the society was engaged in digesting a plan for the permanent improvement of prison discipline, which being completed, was communicated to the proper authorities for consideration.

The legislature, having given, in 1790, the form of law to the propositions made to it by the society, for the regulation of the jail, submitted to the Mayor and Aldermen, who were clothed with the power of appointment, a list of the names of citizens deemed qualified for the new and important office of *Inspectors of the Prison*, who were accordingly chosen.

A new era then commenced in the management of the jail. Invested with ample authority, the inspectors exerted it, to carry into effect all the measures which the observation and experience of the society had shown to be necessary.

The prison on Walnut and Sixth streets,* which, during the revolution, had been alternately used by the American and British armies, as a depot for prisoners of war, was put in a condition adapted to this interesting change of affairs. The sexes were separated and engaged in various employments. Convicts and untried prisoners were not permitted to associ-

* The building of this jail commenced in 1773.

ate; the former were comfortably clothed, and fed on coarse, but wholesome diet. A principal keeper and assistants were appointed, and their duties regulated. Jail fees and garnish, the sale and use of ardent spirits, with the long catalogue of abuses which had hitherto disgraced the prison, were immediately abolished.

The criminal side of the jail being thus organized, and the experiments going on successfully, the society had an opportunity to examine the state of the debtors' apartment, a building on Prune street, adjoining the Penitentiary on the south. Heretofore nothing better had been accomplished for persons confined for debt, than their removal from the disgusting mass of felons, among whom they were kept in the old jail. Several gentlemen were charged with the duty of examining this department of the prison, especially with a view to ascertain the propriety of restricting the keeper's power, and of effecting a "*separation of the sexes in the day time as well as at night.*" This committee prepared a memorial to the legislature, which was adopted. The result of the application is thus noticed on the minutes of the society, in October, 1791:—"The committee appointed to inquire into the situation of the debtors' apartment reported, that the assembly, at the late session, had passed an act, which, although it did not extend

so far as to meet the wishes of the society entirely, yet afforded considerable relief in the premises."

In 1792, the legislature undertook a thorough revision of the penal laws, and made such alterations as were consonant with the public sentiment, by that time fully prepared for a more humane system of criminal jurisprudence, than had before been adopted in any age or country. The society which had so largely contributed to this great result, happily found a powerful co-adjutor in the late William Bradford, Attorney General of the state, who published in this year, a work entitled "*An Inquiry how far the punishment of death is necessary in Pennsylvania: with notes and illustrations.*" This excellent essay attracted superior attention, and produced more important effects, as coming from the pen of a profound lawyer, in whose too early death, a few years afterwards, Pennsylvania justly mourned the loss of one of the wisest and worthiest of her sons.

During the year 1793, the society did little more than attentively observe the progress of the new system, and by its acting committee, administer to the wants of untried prisoners, for whose relief no legal provision existed. But, towards the close of that year, rendered memorable by the pestilential fever which spread terror and

death amongst the inhabitants of Philadelphia in a degree before unequalled, several of the active members of this institution, who seem to have been prepared by their benevolent career to lend efficient succour to the afflicted, were by feelings of sympathy detained in the city during that awful visitation, and indefatigably engaged in relieving the sick and destitute.

For services like those, rendered to suffering humanity on that melancholy occasion,

“When hopeless anguish poured its groan,
And lonely want retired to die,”

mankind would appear to owe an inextinguishable debt of gratitude, had not the Author of all goodness connected inseparably with the exercise of the benevolent affections of the heart, joys and consolations which are greatly superior, even here, to any good that man can bestow, and which must hereafter confer such happiness as fadeeth not away.

An extensive correspondence was opened and carried on in 1794, between the society and the executives of several of the states of the union, which tended to diffuse much information relative to its labours, and led to the adoption of reform in the penal laws in other parts of the continent.

From this time until 1798, the minutes fur-

nish nothing more than notices of the attention of the acting committees, of which one instance is selected. *“The state of the criminal laws is such as to render their interference seldom necessary among those prisoners under sentence, but that among those of other descriptions many cases have occurred which have required and obtained their particular attention; and not a few have been relieved by pecuniary and other aid, which, affording much satisfaction, they are requested to continue their visits to the prisons, and use exertions for the promotion of the objects of this association.”*

A question of some consequence was discussed at this time, as to the propriety of establishing schools in the jail; and further attention was given to the laws relative to imprisonment for debt. A sum of money to carry the former object into operation, and a memorial to the legislature concerning the latter, were agreed upon at the ensuing meeting.

It appears, that in 1799 and 1800, some relaxation in the police of the prison was observed, which induced prompt measures on the part of the society for restoring to the system its original vigour; and this was effected by its interposition. A report, manifesting great research into every department of the jail, as well concerning its management as its fiscal affairs, was made by

a committee, which, in conclusion, holds this language:—"They are also of the judgment, that there is in general a great impropriety in abating any part of the sentence passed on the prisoners, either by lessening the solitary confinement to which they are condemned, or promoting their pardon, by application to the Governor. They likewise think it improper to mix, with convicts confined to labour, any other prisoners not sentenced to the like punishment."

Continuing devoted to this interesting cause, the society again, in 1801, approached the legislature in the following manner:

"To the Senate and House of Representatives of the Commonwealth of Pennsylvania—

"The Memorial of the Philadelphia Society for alleviating the miseries of Public Prisons,

RESPECTFULLY REPRESENTS :

"That your Memorialists have contemplated with pleasure the progress made by former legislatures in preventing crimes, and reforming criminals, and, encouraged by the ready attention heretofore shown to their applications, are emboldened to call the notice of the legislature to the present state of our Prisons.

"When the reform was made in our penal laws in the year 1790, although the principles were plainly laid down, yet it was not expected that the practical part could be suddenly or completely effected. It was then in some degree a matter of experiment. An experiment, however, though imperfectly made, which has not only increased our internal security, but has been so far approved of as to be adopted in several of our sister states.

"Being ourselves fully convinced of the propriety both of these principles and this practice, we now wish briefly to solicit your attention to a most essential part of this humane and rational plan for preventing crimes and reforming criminals. Ever

since the present establishment of the Prisons we have wished to make the fair experiment of solitude and labour on the convicts. Every year's experience has shown us, that in the present state of the Prison, such an attempt, however desirable, is impracticable.

"We are therefore induced to request that you will devise such means as may appear to you most adequate, to separate the convicts from all other descriptions of prisoners, in order that a full opportunity of trying the effects of solitude and labour may be afforded.

"Signed by direction of the Society.

"WM. WHITE, President."

"*Philadelphia*, 12th mo. 14, 1801."

Two years afterwards, the necessity for an additional prison became evident, and a brief view of the actual condition of the penitentiary house, with other motives for the measure, were thus presented in a joint address from the society and the inspectors of the jail.

"To the Senate and House of Representatives of Pennsylvania:—The Memorial of the Philadelphia Society for alleviating the miseries of Public Prisons, and of the Inspectors of the Prison of the City and County of Philadelphia,

"RESPECTFULLY REPRESENTS:

"That in reforming the penal laws of this State the legislature of Pennsylvania contemplated the reclaiming of criminals, as well as preventing crimes; and with this view, adopted the mode of punishing criminals by solitary confinement at hard labour, under such regulations as appeared best calculated to impress strongly on the minds of the convicts, the connexion of suffering with the transgression of the laws. At the time of this reform, the jail of the city and county of Philadelphia, was considered as sufficiently large to carry this benevolent design of the legislature into effect, and to leave suitable room for the con-

finement of vagrants, prisoners for trial, &c. A period of more than twelve years has elapsed since this reform came into operation, and in the course of that time the number of prisoners of various descriptions has increased to such a degree, owing to the jail of Philadelphia being by law the general place of custody for all the convicts of the state, and likewise to the substitution of long periods of confinement instead of capital punishment, that the said prison is no longer capable of containing them in such a way as to answer the intention of the legislature. The number of vagrants, &c. has so much increased, that it is a matter of great difficulty to keep them in order, and impracticable to keep them regularly at labour. The prisoners who are detained for trial, run-away servants and apprentices, are through necessity confined in the same apartment with the vagrants, and the intercourse between such persons crowded together may easily be conceived to be most destructive to the morals of the whole, insomuch that when they are released from prison they are likely to come out intimately acquainted with the arts of villany, and combined with an extensive association of persons of similar character to make depredations on the public. The great number of vagrants, untried prisoners, &c. produces hurtful effects on the convicts, as the latter are, for want of room, obliged to be kept in too large numbers in one apartment, by which the amelioration of their morals is either prevented or greatly impeded, the keeping of them attended with greater hazard; and they have more opportunity of laying plans of escape; their labour is rendered less productive than it might be, and the idea of solitude is nearly obliterated.

“ The health of the city is much endangered by having so many people crowded together in one house. Notwithstanding the great attention to cleanliness, the jail fever made its appearance there during the last winter. Whether under the present arrangements, it will be practicable to prevent its breaking out again, and in case of such an event, extending its effects beyond the prison walls, it is impossible to determine.

“ Another house or set of buildings appears to be necessary, where the vagrants might be suitably classed and compelled to hard labour.—In such proper apartments these prisoners might, under suitable regulations, be kept at labour so productive as

might at least defray the expense of their keeping or maintenance: this, to the idle and disorderly would be such an object of terror, that the number of them would probably soon be lessened.

“ By such arrangement also, the prisoners for trial, servants, and apprentices, could be suitably classed and taken care of, without being made necessary companions of abandoned characters; which is unavoidable in the present state of the prison; whilst the convicts, by having the whole of the present building allotted for them, could be subdivided into smaller classes—more effectually secluded from any confederacy with those out of doors—more easily managed, and have a fairer chance of improving their morals; and while their minds would have fewer objects to distract them, they might become more docile; and while their labour would be rendered more productive, they would be confirmed in those habits of industry which are calculated to render them useful, both to themselves and society.

* * * * *

“ Placed, as we are, in a situation to observe the salutary effects of solitude and labour, in preventing crimes and reforming criminals, we trust you will, as heretofore, receive our application with indulgence, and therefore again respectfully submit to your consideration, the propriety of granting another building, for the purpose of making such separation amongst the prisoners as the nature and wants of this truly benevolent system require.”

This request was favourably received, and an act passed, authorising the erection of a Bridewell, since located on Mulberry and Broad streets.

In 1809, the society appropriated funds for the purchase and establishment of a library, for the convicts in the Walnut street jail; the committee who had charge of the subject having reported, that *“they believed the time of the prisoners might be usefully passed, on the first day of the*

week, in reading the scriptures and other religious books." A few members were specially appointed to the superintendence of this matter, and they began the experiment by supplying the requisite number of Bibles and Testaments. Two years elapsed when this further notice of the subject was recorded:—"Bibles and Testaments have been furnished, and some of the prisoners seem inclined to peruse them; it is hoped benefit has resulted from the measure, but the committee is not prepared to give an opinion, as to the utility of introducing any other books."

In 1813, the secretaries were appointed "to correspond with such persons as were engaged in the conduct of penitentiaries, instituted in different states of the Union, in which the humane and improved system of penal laws was enforced, and especially to ascertain the influence thereof on the subjects of such treatment, as well as the effects produced thereby on the general condition of society." This correspondence elicited information, more or less satisfactory, of the success of penitentiaries which had been established in ten of the states.

In 1816, "*A Statistical view of the operation of the penal code of Pennsylvania, &c.*" was prepared by a committee of the society, and printed and distributed under its direction.

Although chiefly confined to the mitigation of

the sufferings of those wretched beings, who, increasing with the population of the city and its suburbs, were found every year in great numbers, as vagrant and untried prisoners, at the Bridewell, the members of the society were always regardful of the penitentiary system itself, and embraced every occasion to assist in its most effectual operation. Such feelings and views led, in the early part of 1818, to the presentation of this petition:

“To the Senate and House of Representatives, &c.

“The Memorial, &c.

“RESPECTFULLY SHOWETH:

“That in the year 1787, an association was formed by a number of the inhabitants of Philadelphia, for the purpose of lessening the evils and miseries of prisons, and of promoting an amelioration of the penal laws of this state, under the title of “*The Philadelphia Society for alleviating the miseries of Public Prisons,*” which society have continued their attention to the subject until the present time, and have the satisfaction, in common with their fellow citizens, of witnessing considerable improvement in the management of the prison in this city. But the progress of which, they apprehend, is obstructed, and many other evils experienced by the necessity of crowding into that establishment great numbers of convicts from all parts of this populous state. They therefore respectfully request the legislature to consider the propriety and expediency of erecting penitentiaries in suitable parts of the state, for the more effectual employment and separation of the prisoners, and of proving the efficacy of solitude on the morals of those unhappy objects.

Signed on behalf of the Society.

WILLIAM WHITE,

THOMAS WISTAR,

SAMUEL P. GRIFFITTS,

JOSEPH CRUKSHANK.

About the same time, a letter was received from Stephen Lushington, L. L. D. a member of the British Parliament, written at the instance of the London Society for the improvement of Prison Discipline, and requesting the opinion of the Philadelphia Society, as to the effects of the penitentiary system here. The answer which was given to that communication is as follows:

“To the Committee of the Society in London for the Improvement of Prison Discipline.

“The subject of your interesting letter of ‘Nov. 26th, 1818,’ has claimed our deliberate consideration.

“Although the attempt has been made amongst us, to lessen the commission of crime, not by the death of the offender, but by inflicting the punishment of privation, solitude, and labour; yet the penitentiary system, arising out of this change in our penal code, has not, from divers causes, been so effectually carried into operation as to produce all the results which reason and benevolence had fondly anticipated.

“From the experience already acquired on this important subject, and especially during the few first years, when the exertions of the society were more actively employed in the direction of the system, we feel no hesitation in declaring, that the deficiencies which may have appeared, are not to be ascribed to the system itself, but to the difficulties which have occurred in reducing it to practice. *Amongst the chief of these has been the impracticability of confining the convicts to solitary labour.* This has been owing in some measure to the construction of the building in which they are placed; it being the same which was used for the confinement of criminals previously to the improvement of the penal code.

“Hitherto, all the convicts of this widely extended state have been sent to the penitentiary in this city; which practice, besides other disadvantages, is attended with this injurious one, that a convict from a remote part, whose term has expired, is

discharged in this populous city, most probably unacquainted with any of its inhabitants, except such as may have been his associates in the prison, at a great distance from his home, without friends, and without money, but with many temptations before him; under these discouraging circumstances it is not at all surprising, that he should recur to his former habits.

“But a better state of things is opening to our view. An additional penitentiary is building at Pittsburg, on the Allegheny river, 300 miles west of Philadelphia. An act of the Legislature of Pennsylvania, it is hoped, will be passed, authorising the erection of another building in the city and county of Philadelphia, for carrying the penitentiary system into full operation. When this prison is erected, and not till then, will the experiment of preventing crime, without taking life, have been fairly tried.

“We feel great satisfaction in your exertions in this dignified cause; and hope you will not be discouraged by any partial considerations, from continuing to co-operate with us, in endeavouring to establish the beneficent principle, that the prevention of crime, and the reformation of the offender, is the object of punishment. And whatever may have been the fears and resentments of those times, which produced the too generally prevailing system, of lightly multiplying criminal offences, and of inflicting death, and other odious punishments; let us indulge the pleasing hope, that this system of ignorance and barbarism will no longer continue to the disgrace of the nations and governments, who are now arrived at the highest state of civilization, and who profess to be actuated by the benign and salutary influences of Christianity.

“Respectfully,

“WILLIAM WHITE, *President.*”

In 1821, another and the last effort was made, to impress the general assembly with the necessity of a penitentiary in this section of the state.

“To the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met. .

“The Memorial of the Philadelphia Society for alleviating the Miseries of Public Prisons,

“RESPECTFULLY REPRESENTS,

“That it is now nearly forty years since some of your Memorialists associated for the purpose of alleviating the miseries of public prisons, as well as for procuring the melioration of the penal code of Pennsylvania, as far as these effects might be produced through their influence.

“In the performance of the duties which they believed to be required of them by the dictates of Christian benevolence, and the obligations of humanity, they investigated the conduct and regulations of the jail, and likewise the effects of those degrading and sanguinary punishments, which were at that period inflicted by the laws of this Commonwealth. The result of these examinations was a full conviction, that not only the police of the prison was faulty, but the penalties of the law were such as to frustrate the great ends of punishment, by rendering offenders inimical, instead of restoring them to usefulness in society.

“With these impressions, alterations in the modes of punishment, and improvements in prison discipline, were from time to time recommended to the Legislature, by whose authority many changes were adopted, and many defects remedied.

“These reforms, from the nature of existing circumstances, were, however, of comparatively limited extent, but as far as the trial could be made, beneficial consequences were experienced.

“Neighbouring states, and remote nations, directed their attention to these efforts, and, in many instances, adopted the principles which had influenced the conduct of Pennsylvania.

“At the time of making the change in our penal code, substituting solitude and hard labour, for sanguinary punishments, the experiment was begun in the county jail of Philadelphia, rather than the execution of the laws should be deferred to a distant period, when a suitable prison might be erected. Under all the inconveniences then subsisting, the effects produced were such as to warrant a belief that the plan would answer the most sanguine wishes of its friends, if it could be properly tried. But the construction of that prison, and its crowded condition, being the only penitentiary used for all the convicts of the state, leave

but slender hopes of the accomplishment of the humane intentions of the Legislature.

“Your Memorialists believe, that they discover in the recent measures of the Commonwealth, a promise, which will fulfil the designs of benevolence in this respect. The edifice now in progress at Pittsburg for the reception of prisoners, constructed upon a plan adapted to strict solitary confinement, will go far towards accomplishing this great purpose; and your Memorialists are induced to hope, that the same enlightened policy which dictated the erection of a state prison in the western, will provide for the establishment of a similar one in the eastern part of the state.

“Reasons of the most serious and substantial nature might be urged, to show the absolute necessity which exists for a penitentiary in the city and county of Philadelphia, whether we regard the security of society, or the restoration of the offenders against its laws. It will not be necessary here to recite the alarming proofs which might be adduced in support of their opinions, but refer to the documents herewith furnished, which exhibit the actual condition of the prison.

“Your Memorialists, therefore, respectfully request, that you will be pleased to take the subject under your serious consideration, and if you judge it right, to pass a law, for the erection of a penitentiary for the eastern district of the state, in which the benefits of solitude and hard labour may be fairly and effectually proved.

“Signed by order and on behalf of the Society.

“WILLIAM WHITE, *President.*

WILLIAM ROGERS, *Vice President.*

THOMAS WISTAR, *do.*

NICHOLAS COLLIN,

SAMUEL POWEL GRIFFITTS,

JOS. REED,

ROBERTS VAUX.”

“Attest.”

“CALEB CRESSON, *Secretary.*”

This memorial was sent to the legislative bo-

dies, accompanied by documentary evidence to confirm its statements, and it was deemed so important as to require the appointment of a committee to attend at the seat of government. Dr. William Rogers, one of the Vice Presidents of the Society, and Samuel R. Wood, an active member, who was at that time also one of the inspectors of the prison, performed this valuable service. The appeal, enforced with much ability by this respectable and well informed deputation, proved successful, and a law passed providing for the erection of the desired edifice.

During the last four years, several interesting subjects have claimed the attention of the society; among which may be enumerated, the practicability of establishing a house of refuge for juvenile offenders, and of an asylum for the temporary employment of convicts discharged from jail without friends, or without the means of subsistence—the propriety of legislative interposition to prevent the evils of imprisonment for small debts and petty offences—the lawfulness of confining unruly apprentices in the cells at the mere instance, and during the pleasure, of their masters—and, finally, the alleged oppressive and illegal conduct of magistrates towards the ignorant and dependent classes of the community.

In the prosecution of its objects, the society

has thus far expended, in alleviating the miseries of public prisons, and in publications made at different times to illustrate and enforce its opinions, about five thousand dollars, derived from donations and the annual contributions of its members; the whole number of whom, in thirty-nine years, has been two hundred and eighty-seven, exclusive of thirty-six corresponding members, residing in other parts of the United States, and in Europe.

Of the thirty-seven individuals present when the society was established, but seven are living; of these, Bishop White, (who has been President ever since its origin) Isaac Parrish, Thomas Wistar, Dr. Samuel Powel Griffitts, and Zachariah Poulson, only continue members of the institution. With this remnant of its founders are associated seventy other persons, now composing the society.



This rapid sketch of the services of the "*Philadelphia Society for alleviating the miseries of Public Prisons*," is acknowledged to present a very inadequate view of its merits; but its own acts, so far as the record of them has been preserved, however imperfectly exhibited, speak for themselves. Of the time and reflection which

have been devoted to the subject, and of the solicitude and responsibility necessarily incurred, from the magnitude and novelty of the undertaking, no just idea can be formed.

Interruptions innumerable, arising from perverseness and prejudice, must have painfully thwarted the best laid plans and most disinterested aspirations, to say nothing of the risk of health and of life by exposure to the foul atmosphere of jails, and to the ferocious tempers of their depraved occupants.

If the sovereigns of Prussia and Tuscany, of Russia and Austria, of Sweden and France, who successively abolished the punishment by *torture*, which prevailed on the continent of Europe within less than a century past, received universal respect, even while permitting many other execrable features of their unmerciful codes to subsist; and if such learned jurists and speculative philosophers as Montesquieu, Blackstone, and Beccaria, who, during the same period, shed from their closets valuable lights upon the nature and end of punishment, and the penal laws, are justly entitled to the renown they enjoy, surely the faithful page of history will not fail to attract the higher admiration and warmer gratitude of posterity towards that beneficent band who, although destitute of political power and distinction, have unremittingly laboured with an

active philanthropy, little surpassed, on many occasions, by that of Howard, or of Jebb, to carry into execution and to perfect the plans of an humble proprietor of this once inconsiderable province—plans not only antecedent to any formed in Europe, but embracing in their far more benevolent principles, future blessings to the whole human family.

G

OBSERVATIONS

ON THE

PENITENTIARY SYSTEM.



Of the soundness of the theory upon which the penal laws of Pennsylvania are founded, it is believed there can be no doubt.

The success which attended the administration of them, when individuals made it a point of duty and of conscience to apply their time and talents to the subject, is equally striking and undeniable.

Like all other human institutions, however, the system suffered to a certain extent, from the declension of those pure and fundamental principles in which it originated, and by which, in recent times, its operations have not been so eminently controlled. These remarks have not been dictated by any disposition to offend, but by a dispassionate consideration of facts, which will be candidly admitted and lamented by most persons, if not by all, to whom they may seem unkindly to apply. The mode of governing the penitentiary has undergone so many changes since its establishment, and the responsibility has

become so much extended and divided, as to render it almost impossible to effect certain objects indispensable to the prosperity of the establishment. New interests have arisen, and motives, alien to the primitive designs of its founders, have made such inroads upon its character as almost to threaten its demolition. But let it not be supposed that the beautiful edifice, constructed by the hands of reason, humanity, and justice, is no longer worthy of admiration, because a part of its foundation may have been undermined, some of its chaste proportions altered, or a few of its fair columns defaced, by well meant but mistaken efforts to amplify its dimensions.

The circumstances alluded to have had no little influence in impeding, if they have not rendered stationary or retrograde, the great movement of reform, which Pennsylvania for her own sake commenced, and which, had she been entirely successful, would have furnished a more instructive lesson to the world.

Another prominent reason, however, may be assigned for her failure to ensure the happiest results of the penitentiary system, as originally projected. The prison, which was planned and erected so long ago as 1773, for the use of the city and county of Philadelphia alone, has, ever since the reformation of the code, been the only

receptacle for all the convicts of the state; and until lately, it was made to accommodate also the untried prisoners and vagrants of this populous district. Altogether unsuited to such ends, by the contracted scale of its apartments and yards, it has for many years past, owing to the number of prisoners necessarily crowded together by day and by night, become a school of corruption.

The classification of offenders, one of the most important features of the plan as originally suggested, has been thus in a great measure frustrated. The same circumstances have also furnished a pretext for not rigidly carrying into effect the sentence of *solitary confinement and hard labour*, though it is believed that this valuable part of the system has often been improperly dispensed with, to the prejudice of the convicts, as the legislature never empowered those who govern the prisons, to diminish the penalties of the law.

At various times also, within the last seventeen years, the labour of the prisoners was directed to such branches of industry as were intended to yield the largest profit to the penitentiary; and whenever such schemes were in vogue, all other considerations were postponed. Instead of seclusion, so far as it was practicable, and other wholesome discipline, such projects

induced relaxation, and the grand object was not so much the punishment and reform of the criminals, as a pecuniary balance, at the year's end, in favour of the institution; a result which it is said has never appeared upon a full exhibition of the accounts.

The frequent exercise of the power of pardon, almost always at the suggestion of the inspectors, has been extremely detrimental. This indulgence has lessened the certainty of punishment, and weakened the terrors of the law in the minds of the most audacious of its violators, since, from a policy not destitute of plausibility, but which cannot prudently be unfolded, that description of culprits has most largely partaken of the executive clemency.

A multitude of other causes of minor importance might be detailed, which have contributed to cast a shade over the penitentiary system; but the evil is mainly attributable to the few which have been assigned, any one of which indeed is almost adequate to account for the result.

The annexed tables will prove, that crimes have gradually diminished from the period when penitentiary punishments were begun and inflicted in the spirit which conceived them. They will likewise show, that offences have accumulated in a much greater ratio than the popula-

tion, as the fair morning of penal reformation became overcast.

In 1787, when the first energetic measures were adopted for ameliorating the condition of prisoners and mitigating the severity of the laws, the number of convictions was 105. In 1788, 98—1789, 125—1790, 109.

In 1791, 1792, 1793, 1794, and 1795, as the new order of things began to be felt, the convictions amounted to only 394; and during the thirteen following years, when it was fairly in operation, the results were eminently successful, the maximum in any one of these years not exceeding 194, at which it was stated in 1808. From this time to the first of January, 1825, a term of seventeen years, the increase of convictions was very great. In 1809, they rose to 206—in 1811, to 304—and in 1816, to 433. On the 31st of December, 1825, the whole number of convicts in the prison was 620. It is moreover remarkable, that the offences which produced the convictions in the last mentioned term of years, were generally of a higher grade than those which had previously occurred under the more favourable administration of the penitentiary.

Pennsylvania being thus deeply interested in the question of the abandonment or ultimate triumph of her beneficent plan, is now making

the most judicious and liberal arrangements for a final experiment. If the means necessary to give complete effect to her criminal jurisprudence, have been lamentably delayed, the energy she displays at this crisis will, it is hoped, amply redeem her supineness.

The penitentiary at Pittsburg is nearly finished; that in the vicinity of Philadelphia may, in two* seasons more, be ready for the reception of convicts. These buildings are different in construction, though both are designed for the solitary confinement of the prisoners. It is perhaps well that uniformity of structure did not obtain in regard to them, as experience will most fairly prove their comparative utility and fitness, to serve as a model for the prison that may hereafter be erected in the centre of the state.



Before the penitentiaries can be used, a great work is to be performed by the legislature. A thorough revision of the criminal laws is indispensably necessary, to adapt them to that kind

* If the legislature, at its present session, appropriate the sum required to finish the prison, it can be completed this year; but it will not be fit for use until the latter part of 1827. The cells ought to be thoroughly dry before they are inhabited.

of imprisonment to which the new buildings are appropriate.*

As every thing will depend upon never failing in any case to punish by solitary confinement, the greatest wisdom will be required in apportioning the time of its infliction to the offence.

All former experience, not only here, but in other states where attempts have been made to imitate our example, has taught, that common intercourse between prisoners is not only fatal to their reformation, but inefficacious in lessening or preventing crime.

Those who have had an opportunity of visiting prisons, or who have bestowed the least reflection upon the subject, must be convinced that the indiscriminate association of their inmates is productive of evil in many respects. The effect of such intercommunication, in one

* It is respectfully suggested, whether this service cannot be more satisfactorily accomplished by a commission of three or five individuals, who, under the authority of the legislature, could prepare, during its recess, an essay of a system of penal laws, and regulations for the government of the new penitentiaries, to be submitted at the next session of the general assembly.

It would be worthy of Pennsylvania to bring to this great task some of her ablest minds. Such intellect and knowledge of the subject as have been displayed by EDWARD LIVINGSTON, in his admirable code of criminal jurisprudence, composed for the state of Louisiana, show what may be achieved by the adoption of adequate means, and furnish an example which ought not to be disregarded.

sense, *puts all crime upon a level*; for while the same confinement is generally assigned to individuals undergoing various terms of punishment, there can be no wholesome lesson impressed upon the minds of any concerning the different degrees of guilt. The burglar and highwayman fare no worse than the petty thief, except in the *nominal* duration of their confinement; and what terror can there be in the punishment of the former which will deter the latter offender from extending the sphere of his wickedness when cast again upon society? Even longer detention in prison is rarely felt, since the continual admission of fresh convicts, or of old ones returned, brings in constantly news for the amusement of the detained felons, or intelligence which enables them, when released, to meet abroad their former comrades, and to renew their depredations.

The culprit who is sentenced for a short time, is moreover sure to serve it out, whilst he who has committed some high transgression, and has been judicially condemned to suffer the greatest length of punishment, *seldom escapes a pardon*. What must be the influence of the knowledge of these facts upon vicious men, whether in or out of the jail? Surely that the greater depredation is preferable, since it involves no more risk

of detection than the less, and is rarely visited with severer penalties. Is it credible that reformation of offenders, or a diminution of their numbers, can result from circumstances like these? So different is their effect, that without exaggeration it may be said, a hundred leave the jail in a state of increased depravity of mind, for one that retires from its walls improved.

If then a part of the duty of every people professing Christianity is to endeavour to improve the condition of their criminals, whilst undergoing condign punishment, and to deter others effectually from transgression, by the known character and certain infliction of the penalties of the law, these objects can be accomplished only by carrying rigidly into execution the principle of seclusion. But society will not be released from all its obligations, in merely shutting up the prisoner by himself; his mind ought thenceforth to be treated with as conscientious a regard to the removal of its disease as if he were affected with a physical malady, requiring for its extirpation the utmost medical skill.

Some persons entertain the erroneous opinion that solitary confinement should be resorted to only for the punishment of enormous crimes, or in cases of conviction for repeated offences.

Solitude* promises even more for the recovery of the novice in transgression, than of the accomplished and hardened criminal; and for the reasons already offered, any other distinction by the legislature, than the duration of the term of imprisonment, is greatly to be deprecated.

Confinement in separate cells has been objected to, as cruel in the extreme; and it is alleged that the intellects of those who may be subjected to it, will become disordered. It is answered, that punishment is intended to be what its name implies; and as for the apprehended derangement or imbecility of mind, cases have not been quoted to establish that theory, whilst instances, showing that no such consequences have followed this mode of treatment, even when means were employed less advantageous than those now provided, might be readily adduced.

The solitary chambers at the penitentiary in progress near Philadelphia, are on the surface of the ground, judiciously lighted, ventilated, and adapted in every other way, to protect the health

* If every person committed to prison could be supplied with a private apartment, until convicted, or discharged by due course of law, incalculable benefits would be produced. The system will not be complete unless this arrangement be made, and when the penitentiaries are finished and used, it will be worthy of consideration, whether the Bridewell cannot be altered, so as to accomplish this desirable end.

of the prisoner; each cell is to have a yard, where, or in the cell itself, which is also sufficiently commodious, labour may be performed, if it shall be so ordered, in particular instances.

When the laws shall be made conformable to the new plan of keeping criminals, and such regulations for the internal government of the penitentiaries shall be enacted, as the nature of those establishments requires, another task not less difficult than any which may precede it, will be the selection of persons qualified for the all-important trust of superintending the prisoners. It is probable that a body will be created similar to the existing board of inspectors, from whom, as serving without pecuniary recompense, more cannot be expected than the exercise of a general control over the prison, situated at such a distance from the city as to preclude their minute and frequent interference.

Upon the principal keepers, to whom some other designation might be applied, must devolve the responsibility of giving full and lasting effect to the grand experiment. Those officers should be a chief manager and matron, qualified as well by decision and firmness of mind, mixed with gentleness, as by good education and sound religious character. Though the appointment of a female officer in a jail be

novel,* yet it ought not to be considered less proper, since, for various reasons that might be given, it would produce very important advantages to the women convicts. The requisite number of subordinates in every department ought of course to be provided, and all of them liberally and proportionably compensated.

It would appear, then, from what has been advanced respecting the new penitentiaries, that the cardinal points in the penal code are—

First. The criminal laws plainly and clearly expressed, showing the offence and its degree of punishment; and these laws to be universally diffused among the people.†

Second. The duration of punishment, fixed,

* Since this essay was prepared, a friend put into my hands a London newspaper, containing some extracts from a late report of the managing committee to the commissioners of the *Bridewell at Glasgow*, which, after acknowledging the value of the example furnished in Pennsylvania concerning prisons, adds, that “*the females occupy a separate building, under the control of OFFICERS OF THEIR OWN SEX; a most important provision to guard against the total loss of modesty and decorum, which the employment of males in the like capacity is likely to cause.*”

† The following is one of the wise provisions of *the great law* given by William Penn at Upland, in 1682. “And be it further enacted by the authority aforesaid, that the laws of this province from time to time shall be published and printed, that every person may have the knowledge thereof; and that they shall be one of the books taught in the schools of this province, and territory thereof.”

as accurately as human fallibility will permit, to the nature of every offence.

Third. Solitary confinement, in all cases.

Fourth. The whole term of the sentence to be exacted, excepting in cases where it shall be made to appear to the satisfaction of the governor, that the party convicted was innocent of the charge.*

Fifth. Moral and religious treatment of convicts.

Sixth. The character of the persons to whom the administration of the penitentiaries shall be committed.

Lastly. Certainty, rather than severity of punishment.



When the positive security of society shall have been provided for, by penitentiaries placed under such management as has been suggested, it may become a question with the Legislature, whether, for the penalty of death now imposed

* I am aware of the constitutional right vested in the Governor, to pardon at his pleasure ; but in this interesting matter, a unanimous expression of the legislative wish that in order to make a fair trial of the improved system, he would only exercise his power in the cases mentioned, might be regarded by him and prove highly beneficial.

on murder in the first degree, imprisonment during life may not be substituted. There is an aversion in Pennsylvania from inflicting death; and the difficulty of convicting when the crime is so great as to be visited with that punishment, is such as to defeat in many instances the purposes of justice. The prisoner who has deliberately extinguished the life of a fellow creature, may, for want of that clear evidence which our humane judges and juries rightfully require, receive, in place of the merited sentence, some very inadequate punishment, or escape altogether. The moralist and the lawgiver ought moreover to reflect maturely upon the deplorable fact, that public executions rarely, if ever, produce any other than the most pernicious effects upon society. If, however, this awful penalty must be retained, it is worthy of serious inquiry, whether it ought not, in every instance, to be visited upon the unhappy culprit within the jail yard. The execution might be safely entrusted to the sheriff and his officers, with a commission of twelve judicious citizens, to be specially appointed for the purpose by the governor. The dreadful ceremony would thus be performed with becoming solemnity, and the public only know that the victim was launched into eternity, by the tolling of the bell of the penitentiary at the moment of the sacrifice.

This small contribution to the stock of information already possessed by the citizens of Pennsylvania, is concluded with the expression of an ardent hope, that this favoured commonwealth may soon have the happiness to perfect the system of criminal jurisprudence and prison discipline, which boasts its origin within her borders.

TABLES,

Exhibiting the number of criminals imprisoned in the jail at Philadelphia, from the year 1787 to the beginning of the year 1825, with the offences for which they were convicted, &c.

There were convicted, sentenced, and brought into the penitentiary of the city and county of Philadelphia, during the year 1787, one hundred and five persons, for the following offences, viz:

Burglary,	13
Forgery and Counterfeiting,	4
Keeping disorderly bawdy houses,	3
Larceny,	72
Misdemeanor,	3
Robbery,	3
Receiving stolen goods,	7
Total,	105

Convicted during the year 1788.

Assault and Battery,	1
Burglary,	10
Forgery,	1
Horse stealing,	3
Larceny,	68
Misdemeanor,	8
Robbery,	3
Receiving stolen goods,	3
Shooting with intent to kill,	1
Total,	98

Convicted during the year 1789.

Assault and Battery with intent to rob and kill,	3
Burglary,	22
Cheating and Defrauding,	1
Harbouring convicts,	1
Horse stealing,	2

Keeping disorderly bawdy houses,	2
Larceny,	75
Misdemeanor,	4
Passing counterfeit money,	1
Robbery,	6
Receiving stolen goods,	8

Total, **125**

Convicted during the year 1790.

Burglary,	5
Cheating,	2
Counterfeiting,	1
Horse stealing,	2
Robbery,	5
Keeping disorderly houses,	3
Larceny,	86
Misdemeanor,	2
Receiving stolen goods,	3

Total, **109**

Convicted during the year 1791.

Burglary,	4
Bigamy,	1
Defrauding,	1
Forgery and Uttering,	4
Horse stealing,	3
Keeping tippling houses,	1
Larceny,	58
Passing counterfeit money,	1
Robbery,	2
Receiving stolen goods,	3

Total, **78**

Convicted during the year 1792.

Burglary,	7
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Forging and Uttering,	3	Rape,	1
Horse stealing,	4	Robbery,	4
Larceny,	38		—
Misdemeanor,	1	Total,	116
Manslaughter,	3		—
Passing counterfeit money,	1	Convicted during the year 1796.	
Receiving stolen goods,	2	Assault and Battery with in-	
Robbery,	4	tent to kill,	1
	—	Burglary,	1
Total,	63	Conspiracy,	2
	—	Counterfeiting and Uttering,	3
Convicted during the year 1793.		Horse stealing,	16
Accessory to Burglary,	1	Disorderly houses,	4
Burglary,	2	Larceny,	105
Horse stealing,	9	Murder, 2nd degree,	5
Larceny,	28	Manslaughter,	1
Passing counterfeit money,	2	Misdemeanor,	2
Picking pockets,	1	Receiving stolen goods,	1
Receiving stolen goods,	2	Riot,	2
	—	Robbery,	1
Total,	45	Rape,	1
	—		—
Convicted during the year 1794.		Total,	145
Assault and Battery with in-			—
tent to commit a rape,	2	Convicted during the year 1797.	
Bigamy,	1	Burglary,	2
Burglary,	2	Concealing the death of bas-	
Forging, uttering, and passing,	5	tard,	1
Horse stealing,	7	Counterfeiting and passing,	9
Keeping disorderly houses,	2	Horse stealing,	15
Larceny,	71	Larceny,	81
Murder, 2nd degree,	2	Murder,	1
	—	Manslaughter,	1
Total,	92	Perjury,	1
	—	Receiving stolen goods,	3
Convicted during the year 1795.			—
Arson,	1	Total,	114
Burglary,	2		—
Buggery,	1	Convicted during the year 1798.	
Bigamy,	1	Arson,	1
Concealing the death of bas-		Burglary,	5
tards,	2	Bigamy,	1
Forging, counterfeiting, and		Conspiracy,	2
uttering,	10	Passing counterfeit money,	6
Horse stealing,	8	Horse stealing,	12
House breaking,	2	Larceny,	90
Keeping disorderly houses,	5	Murdering and concealing	
Larceny,	72	the death of bastards,	2
Misdemeanor,	3	Misdemeanor,	1
Receiving stolen goods,	4	Manslaughter,	1

Rape,	1	Perjury,	1
	—	Receiving stolen goods,	10
Total,	122	Robbery,	1
	—		—
Convicted during the year 1799.		Total,	151
Arson,	1		—
Burglary,	2	Convicted during the year 1802.	
Burning prison,	3	Arson,	1
Breach of health laws,	1	Assault and Battery with in-	
Conspiracy,	2	tent to murder,	1
Concealing the death of bas-		Burglary,	2
tard,	1	Concealing the death of bas-	
Forging and Uttering,	6	tards,	2
Horse stealing,	3	Forging and Uttering,	4
Disorderly houses,	3	Horse stealing,	12
Larceny,	115	Disorderly bawdy house,	1
Manslaughter,	1	Larceny,	79
Murder, 2nd degree,	2	Murder, 2nd degree,	2
Misdemeanor,	2	Manslaughter,	1
Receiving stolen goods,	3	Receiving stolen goods,	1
	—		—
Total,	145	Total,	106
	—		—
Convicted during the year 1800.		Convicted during the year 1803.	
Attempt to commit a rape,	1	Arson,	7
Bigamy,	1	Assault and Battery,	1
Burglary,	6	Adultery,	1
Concealing the death of bas-		Burglary,	9
tard,	1	Counterfeiting,	1
Conspiracy,	2	Concealing the death of bas-	
Horse stealing,	5	tard,	1
Disorderly bawdy house,	1	Cheating,	1
Larceny,	81	Conspiracy,	2
Misdemeanor,	1	Forgery,	1
Receiving stolen goods,	2	Horse stealing,	3
Highway robbery,	3	Disorderly bawdy houses,	1
Rape,	1	Larceny,	82
Passing counterfeit money,	1	Misdemeanor,	2
	—	Murder, 2nd degree,	5
Total,	106	Receiving stolen goods,	4
	—		—
Convicted during the year 1801.		Total,	121
Arson,	1		—
Burglary,	2	Convicted during the year 1804.	
Cheating,	1	Assault and Battery with in-	
Forgery,	1	tent to murder,	3
Horse stealing,	7	Arson,	6
Larceny,	123	Burglary,	5
Murder, 2nd degree,	2	Buggery,	1
Misdemeanor,	2	Cheating,	1

Concealing the death of bastard,	1
Conspiracy,	3
Forgery and passing counterfeit money,	6
Horse stealing,	3
Disorderly bawdy houses,	3
Larceny,	93
Murder, 2nd degree,	2
Manslaughter,	4
Perjury,	1
Receiving stolen goods,	5
Misdemeanor,	3
<hr/> Total,	<hr/> 140

Convicted during the year 1805.	
Assault and Battery,	5
Assisting a prisoner to escape,	1
Burglary,	6
Buggery,	1
Concealing the death of bastards,	2
Forgery and Passing,	3
Horse stealing,	3
Disorderly bawdy house,	1
Larceny,	84
Cheating,	1
Conspiracy,	7
Misdemeanor,	4
Manslaughter,	1
Murder, 2nd degree,	1
Receiving stolen goods,	2
Robbery,	2
<hr/> Total,	<hr/> 124

Convicted during the year 1806.	
Assault and Battery,	5
Arson,	1
Burglary,	6
Bigamy,	1
Concealing the death of bastards,	2
Forging, Counterfeiting, and Passing,	5
Horse stealing,	5
Disorderly bawdy house,	1
Larceny,	144
Misdemeanor,	1

Manslaughter,	4
Murder, 2nd degree,	4
Receiving stolen goods,	2
Robbing the mail,	1
<hr/> Total,	<hr/> 182

Convicted during the year 1807.	
Assault and Battery with intent to murder,	3
Attempt to effect the escape of prisoners,	1
Arson,	1
Burglary,	20
Cheating,	1
Concealing the death of bastard,	1
Forgery,	6
Horse stealing,	5
Larceny,	96
Misdemeanor,	3
Mayhem,	1
Manslaughter,	2
Murder, 2nd degree,	2
Receiving stolen goods,	5
Robbery,	2
<hr/> Total,	<hr/> 149

Convicted during the year 1808.	
Assault and Battery with intent to murder,	11
Assault and Battery with intent to ravish,	3
Burglary,	5
Conspiracy,	5
Forging and passing counterfeit money,	10
Horse stealing,	3
Disorderly bawdy houses,	6
Larceny,	137
Misdemeanor,	3
Murder, 1st degree, and hanged,	2
Murder, 2nd degree,	1
Nuisance,	1
Robbery,	5
Rape,	2
<hr/> Total,	<hr/> 194

Convicted during the year 1809.

Assault and Battery,	23
Arson,	2
Burglary,	2
Forging and Counterfeiting,	8
Fornication,	1
Horse stealing,	7
Incest,	1
Disorderly bawdy houses,	8
Larceny,	147
Misdemeanor,	5
Perjury,	1
Riot,	1

Total, 206

Convicted during the year 1810.

Assault and Battery,	24
Arson,	1
Adultery,	1
Burglary,	11
Bigamy,	1
Burning Grain,	1
Conspiracy,	1
Forgery,	10
Forcible Abduction,	1
Fornication and Bastardy,	4
Horse stealing,	4
Disorderly houses,	6
Kidnapping,	1
Larceny,	159
Misdemeanor,	2
Manslaughter,	4
Murder, 2nd degree,	1
Poisoning,	1
Robbery,	3

Total, 236

Convicted during the year 1811.

Assault and Battery,	44
Arson,	1
Burglary,	13
Bigamy,	1
Conspiracy,	4
Fornication,	1
Forgery,	7
Horse stealing,	3
Disorderly bawdy houses,	12
Larceny,	200

Misdemeanor,	2
Manslaughter,	4
Murder 2nd degree,	1
Receiving stolen goods,	1
Riot,	5
Robbery,	4
Rape,	1

Total, 304

Convicted during the year 1812.

Assault and Battery,	28
Arson,	3
Burglary,	9
Forgery,	3
Horse stealing,	5
Bawdy house,	1
Larceny,	170
Misdemeanor,	8
Murder 2nd degree,	4
Riot,	6
Robbery,	2

Total, 239

Convicted during the year 1813.

Assault and Battery,	26
Arson,	1
Burglary,	12
Blasphemy,	1
Conspiracy,	2
Forgery and Passing,	8
Fornication and Bastardy,	1
Disorderly bawdy houses,	7
Larceny,	177
Misdemeanor,	6
Manslaughter,	1
Murder 2nd degree,	4
Riot,	4
Receiving stolen Goods,	1
Robbery,	1

Total, 252

Convicted during the year 1814.

Assault and Battery,	9
Attempt to Counterfeit,	1
Arson,	3
Burglary,	2
Conspiracy,	3

Forgery and Passing,	10	Mutiny,	3
Horse Stealing,	1	Murder (hanged,)	1
Disorderly bawdy house,	1	Perjury,	2
Larceny,	168	Receiving stolen goods,	3
Misdemeanor,	2	Riot,	1
Manslaughter,	5	Rape,	1
Murder 2nd degree,	3	Robbery,	2
Nuisance,	3	Manslaughter,	3
Perjury,	2		
Riot,	1	Total,	433
Rape,	2		
Robbery,	6	Convicted during the year 1817.	

Total, 222

Convicted during the year 1815.

Assault and Battery,	38
Arson,	3
Adultery,	1
Burglary,	13
Forging, Uttering, &c.	8
Fornication and Bastardy,	2
Horse stealing,	7
Disorderly bawdy houses,	17
Larceny,	266
Misdemeanor,	4
Murder 2nd degree,	4
Riot,	5
Receiving stolen goods,	6
Rape,	2
Robbery,	2

Total, 378

Convicted during the year 1816.

Assault and Battery,	50
Assisting a prisoner to escape,	1
Adultery,	1
Arson,	2
Burglary,	4
Cheating,	1
Conspiracy,	9
Forging, counterfeiting and passing,	22
Fornication and Bastardy,	3
Gaming,	1
Horse stealing,	10
Disorderly bawdy houses,	15
Larceny,	290
Misdemeanor,	8

Males.

Arson,	7
Assault and Battery,	12
Burglary with intent to ravish,	1
Burglary,	14
Conspiracy,	5
Deserting family,	3
Disorderly bawdy houses,	2
Forgery,	8
Gaming,	1
Horse stealing,	7
Highway robbery,	2
Larceny,	194
Manslaughter,	2
Misdemeanor,	4
Receiving stolen goods,	3
Riot,	12
Tippling house,	3
Passing counterfeit notes,	9
	289

Females.

Larceny,	41
Assault and Battery,	7
Disorderly bawdy houses,	9
Misdemeanour,	1
	58
Total,	347

Convicted during the year 1818.

Males.	
Burglary,	16
Horse stealing,	10
Larceny,	183
Arson,	3
Manslaughter,	3

Murder 2nd degree,	1	Kidnapping,	1
Robbery,	3	Disorderly bawdy houses,	6
Forging and passing counter- feit money,	12		59
Misdemeanor,	4		
Disorderly bawdy houses,	3	Whites 21, Blacks 38.	
Receiving stolen goods,	5	Total,	353
Perjury,	2		
Assault and Battery,	2	Convicted during the year 1820.	
	247	<i>Males.</i>	
Whites 176, Blacks 71,		Robbery,	7
<i>White Females.</i>		Larceny,	156
Larceny,	30	Burglary,	16
Murder of her bastard child,	1	Rape,	2
<i>Black Females.</i>		Manslaughter,	4
Larceny,	21	Assault and Battery,	2
Disorderly bawdy houses,	2	Perjury,	4
	54	Forging, passing, &c.	6
		Murder 2nd degree,	4
Total,	301	Horse stealing,	7
		Conspiracy,	3
Convicted during the year 1819.		Kidnapping,	1
<i>Males.</i>		Misdemeanor,	2
Burglary,	20	Receiving stolen goods,	1
Larceny,	220		215
Assault and Battery with in- tent to ravish,	3	Whites 120, Blacks 95.	
Murder 2nd degree,	5	<i>Females.</i>	
Robbery,	5	Bigamy,	1
Horse stealing,	12	Larceny,	25
Misdemeanor,	7	Receiving stolen goods,	1
Manslaughter,	2	Misdemeanor,	1
Forgery,	6	Burglary,	1
Receiving stolen goods,	2	Arson,	1
Arson,	2		30
Rape,	1		
Assault and Battery with in- tent to murder,	3	Whites 9, Blacks 21.	
Conspiracy,	1	Total,	245
Exposing private parts,	2		
Attempt to poison,	1	Convicted during the year 1821.	
Attempting Burglary	1	<i>Males.</i>	
Mayhem,	1	Larceny,	188
	294	Burglary,	16
<i>Females.</i>		Horse stealing,	10
Larceny,	52	Manslaughter,	3
		Robbery,	2
		Murder 2nd degree,	6
		Bigamy,	1

Conspiracy,	5	Washington,	5
Forgery,	6	Wayne,	1
Arson,	1	York,	9
Sodomy,	1		
Receiving stolen goods,	2	Total,	272
Assault and Battery,	3	And of the following offences.	
Perjury,	3	Murder 1st degree, (hanged)	1
Rape,	1	Murder 2nd degree,	3
	—	Manslaughter,	2
	248	Assault and Battery with in-	
Whites 175, Blacks 73.		tent to kill,	2
<i>Females.</i>		Rape,	2
Larceny,	50	Assault and Battery with in-	
Receiving stolen goods,	1	tent to ravish,	2
Disorderly bawdy houses,	2	Burglary,	9
Burglary,	1	Robbery,	4
Concealing the death of a		Mayhem,	1
bastard child,	1	Forgery,	4
	—	Passing counterfeit bank	
	55	notes,	19
	—	Horse stealing,	7
Whites 18, Blacks 37.		Conspiracy,	1
Total,	303	Bigamy,	1
	—	Larceny,	211
Convicted during the year 1822,		Receiving stolen goods,	3
two hundred and seventy-two			—
males, and fifty-eight females,		Total,	272
from the following counties,		<i>Whites</i>	
viz:—		Under 21 years	21
Allegheny,	5	21 to 30 “	86
Adams,	2	30 “ 40 “	39
Bedford,	1	over 40 “	36
Bucks,	1	<i>Blacks</i>	
Bradford,	2	Under 21 years	24
Berks,	3	21 to 30 “	38
Beaver,	1	30 “ 40 “	18
Chester,	16	over 40 “	10
Dauphin,	3		—
Fayette,	3	Total, males	272
Franklin,	3	Females convicted from the fol-	
Huntingdon,	1	lowing counties, viz:—	
Lancaster,	8	Washington,	3
Mercer,	2	Philadelphia,	54
Montgomery,	4	York,	1
Northampton,	1		—
Philadelphia,	198	Total,	58
Somerset,	1	And of the following offences,	
Union,	1	Perjury,	1
Westmoreland,	1	Conspiracy,	2

Burglary,	2
Accessory to Burglary,	2
Disorderly bawdy houses,	4
Arson,	1
Larceny,	44
Receiving stolen goods,	2
Total,	58

Whites.

Under 20 years,	2
20 to 30 "	8
30 to 40 "	7
Over 40 "	3

Blacks.

Under 20 years,	5
20 to 30 "	19
30 to 40 "	8
Over 40 "	6
Deaths during the year 1822,	30
Discharged by pardon,	71
Ditto by serving out their time,	138
	239

Deaths and their ages.

Whites.

Under 21 years,	1
21 to 30 "	3
30 to 40 "	7
Over 40 "	3

Blacks.

Under 21 years,	1
21 to 30 "	8
30 to 40 "	6
Over 40 "	1
Total number of deaths 1822,	30

There have been convicted, sentenced and received into the Penitentiary, during the year 1823, two hundred and sixty-six males, and sixty-five females from the following counties, viz:—

Allegheny,	7
Bradford,	1

Bedford,	2
Bucks,	4
Berks,	2
Butler,	1
Chester,	11
Cumberland,	2
Centre,	4
Crawford,	1
Dauphin,	3
Delaware,	1
Fayette,	6
Franklin,	3
Green,	1
Huntingdon,	2
Indiana,	1
Lancaster,	9
Luzerne,	1
Lehigh,	2
Montgomery,	7
Mifflin,	3
Northumberland,	1
Philadelphia,	180
Perry,	1
Tioga,	1
Union,	1
Westmoreland,	2
Washington,	3
York,	3

Total, 266

Of the following offences:

Assault and Battery with intent to commit Sodomy,	1
Assault and Battery with intent to ravish,	4
Burglary,	18
Buggery,	1
Conspiracy,	1
Forgery,	4
Horse stealing,	13
Larceny,	196
Manslaughter,	2
Murder 2nd degree,	4
Rape,	1
Passing counterfeit bank notes,	13
Misdemeanor,	1
Receiving stolen goods,	1
Arson,	6

Whites.

Under 21 years,	34
21 to 30 "	71
30 to 40 "	41
Over 40 "	28
	—
	174

Blacks.

Under 21 years,	19
21 to 30 "	42
30 to 40 "	16
Over 40 "	15
	—
	92

Females convicted during the year 1823, from the following counties, viz:

Montgomery,	1
Bucks,	1
Philadelphia,	61
York,	1
Westmoreland,	1
	—

Total, 65

And of the following offences:

Arson,	1
Burglary,	1
Passing counterfeit notes,	3
Perjury,	1
Receiving stolen goods,	4
Larceny,	55

Whites.

Under 21 years,	5
21 to 30 "	10
30 to 40 "	6
Over 40 "	5
	—
	26

Blacks.

Under 21 years,	14
21 to 30 "	20
30 to 40 "	4
Over 40 "	1
	—
	39

Deaths during the year, 41

Discharged by pardons, 73

Discharged by serving out their time, 198

Whites.

Under 21 years,	3
21 to 30 "	3
30 to 40 "	3
Over 40 "	5
	—
	14

Blacks.

Under 21 years,	1
21 to 30 "	12
30 to 40 "	8
Over 40 "	6
	—
	27

The number of convicts remaining in the Philadelphia penitentiary the 1st day of January 1825, is 482 males, and 77 females.

There have been convicted, sentenced, and brought into the penitentiary, during the year 1824, two hundred and twenty seven males and sixty females, from the following counties, viz:—

Allegheny,	3
Beaver,	2
Bucks,	2
Berks,	4
Bedford,	3
Butler,	1
Bradford,	3
Chester,	3
Centre,	2
Delaware,	2
Erie,	5
Franklin,	4
Fayette,	2
Indiana,	4
Luzerne,	2
Lancaster,	7
Mercer,	1
Montgomery,	4
Northampton,	2

Pike,	1	Bucks,	1
Philadelphia,	152	Northampton,	2
Somerset,	2	Allegheny,	1
Union,	2		—
Washington,	3		60
Westmoreland,	5		—
York,	6		287
	—	Total,	287
Total,	227	And of the following offences:	
And of the following offences:		Larceny,	53
Larceny,	163	Passing a forged note,	1
Burglary,	16	Conspiracy,	2
Horse stealing,	4	Concealing the death of bas-	2
Assault and Battery with in-		tards,	2
tent to ravish,	1	Receiving stolen goods,	1
Counterfeiting coin,	4	Bawdy house,	1
Assault and Battery with in-			
tent to murder,	4	<i>Whites.</i>	
Bigamy,	1	Under 21 years,	2
Forgery,	2	21 to 30 “	8
Passing counterfeit notes,	15	30 to 40 “	9
Receiving stolen goods,	2	Over 40 “	3
Arson,	3		—
Assault and Battery with in-			22
tent to rob,	2	<i>Blacks.</i>	
Assisting a prisoner to escape,	1	Under 21 years,	6
Bawdy house,	1	21 to 30 “	24
Perjury,	1	30 to 40 “	6
Adultery,	1	Over 40 “	2
Robbery,	3		—
Murder 2nd degree,	1		38
Manslaughter,	2	<i>Ages of the Males.</i>	
	—	Under 21 years,	50
Total,	227	21 to 30 “	90
Females convicted, 1824, from		30 to 40 “	64
the following counties, viz:		Over 40 “	23
Philadelphia,	56		—
			227

Total—SEVEN THOUSAND THREE HUNDRED AND
NINETY-SEVEN.

The foregoing tables were prepared under the direction of my friend SAMUEL R. WOOD, whose knowledge of the subject, acquired during several years' service as one of the Inspectors of the Prison, facilitated the inquiry. This acknowledgement is due for his kindness.

FINIS.